

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

BENSON & BINGHAM, LLC,

Plaintiff,

vs.

Case No.: 2:09-CV-02220-LRH-RJJ

**STIPULATION TO DISTRIBUTE
FUNDS AND DISMISS ALL CLAIMS
AND ORDER THEREON**

IRASEMA VENTURA; UNIVERSITY
MEDICAL CENTER OF SOUTHERN
NEVADA; NEW CENTURY
REHABILITATION, LLC dba MATT SMITH
PHYSICAL THERAPY; AMERICAN
MEDICAL RESPONSE, INC.; UNIVERSAL
MOBILITY EQUIPMENT, LLC; VIREN B.
PATEL, D.O., A PROFESSIONAL
CORPORATION; PROSTHETIC CENTER OF
EXCELLENCE, A NEVADA
CORPORATION; ZOTEC PARTNERS, LLC;
DESERT RADIOLOGISTS, INC.; BLACK
MOUNTAIN ORTHOPAEDIC ASSOCIATES,
LLP; H. SEWANI, MD, INC.; ATLANTIC
ANESTHESIA CONSULTANTS; APEX
MEDICAL CENTER; HANGER
PROSTHETICS & ORTHOTICS, INC.; AMIR
AFTAB, MD; UNIVERSITY OF NEVADA
SCHOOL OF MEDICINE MULTISPECIALTY
GROUP PRACTICE SOUTH, INC.; JOHN T.
GOODSELL, D.O., PROFESSIONAL
CORPORATION, GREGORY LINDERER
M.D., LTD., LTD. dba ANESTHESIA
ASSOCIATES; CULINARY HEALTH FUND
ADMINISTRATIVE SERVICES, LLC;
ANDREW M. CASH, M.D., PC; CHW
NEVADA IMAGING COMPANY, LLC dba
NEVADA IMAGING CENTERS; CATHOLIC
HEALTHCARE WEST, dba ST. ROSE
DOMINICAN HOSPITAL and ST. ROSE
DOMINICAN HOME HEALTH SERVICES,

Defendants.

STIPULATION TO DISTRIBUTE FUNDS AND DISMISS ALL CLAIMS

IT IS HEREBY STIPULATED and agreed to by Plaintiff, Benson & Bingham, LLC and the only appearing Defendant, Hotel Employees and Restaurant Employees International Union Welfare Fund, named in this case as Culinary Health Fund Administrative Services, LLC (hereinafter "Culinary"), by and through their undersigned counsel, that the following distribution of settlement proceeds that have been interplead with the Court in the amount of \$30,000.00:

Benson & Bingham, LLC (attorney Fees & Costs)	\$	8,000.00
Culinary	\$	22,000.00
TOTAL DISTRIBUTION	\$	30,000.00

This proposal is a fair distribution of the Proceeds considering the amount of available funds to distribute is far less than the total amount claimed by the Parties in this case. Based upon the facts and circumstances of the instant matter; therefore, the only two parties that have appeared and participated in the case request this Court's Order on the distribution.

IT IS FURTHER STIPULATED that the law firm of Christensen James & Martin is authorized to distribute all funds that were previously deposited into its trust account, which totals \$30,000.00, as outlined above.

IT IS FURTHER STIPULATED that the above matter should be dismissed with prejudice, all parties to bear their own fees, costs, and interest.

IT IS SO STIPULATED.

DATED this 14th day of July, 2010.

BENSON & BINGHAM

/s/ Ben J. Bingham, Esq.

BEN J. BINGHAM, ESQ.
Nevada Bar No. 7280
626 South 10th Street
Las Vegas, NV 89101
Attorney for Plaintiff

CHRISTENSEN JAMES & MARTIN

/s/ Daryl E. Martin, Esq.

DARYL E. MARTIN, ESQ.
Nevada Bar No. 6735
7440 W. Sahara Ave.
Las Vegas, NV 89117
Attorney for Culinary

ORDER

Based upon the foregoing Stipulation to Distribute Funds and Dismiss All Claims; it is hereby ordered that the law firm of Christensen James & Martin distribute the interplead settlement proceeds of \$30,000.00 as follows:

Benson & Bingham, LLC (attorney Fees & Costs)	\$	8,000.00
Culinary	\$	22,000.00
TOTAL DISTRIBUTION	\$	30,000.00

IT IS FURTHER ORDERED that the distribution of said funds be completed within ten (10) business days from the date of this order.

IT IS SO ORDERED.

DATED this 19th day of July, 2010.



LARRY R. HICKS
UNITED STATES DISTRICT JUDGE